

SIDE LETTER

Subject: Voluntary Personnel Leave Program Agreement

This represents a full and complete understanding between the California Department of Personnel Administration (DPA), the California Department of Forestry (CDF) and the California Department of Forestry Firefighters (CDF Firefighters) in the matter of an opt out period from the Voluntary Personnel Leave Program (VPLP) and grievance #04-08-0011.

1. The parties agree that Bargaining Unit 8 members who choose to opt out of the VPLP in the first opt out phase, must notify CDF personnel no later than November 12, 2004 (on a supplied and approved CDF form) in order to be removed from the VPLP.
2. Employees electing to opt out of VPLP under provision number 1 may also cash out VPLP credits accrued during the period July 1, 2004 through October 30, 2004. This is a one time opportunity to cash out VPLP credits for this time period – there will be no cash out option after this time. Employees electing to remain in the VPLP will automatically accrue VPLP credits effective with the July, 2004 pay period.
3. Unit 8 members who choose to remain in the VPLP will be allowed one additional chance to opt out of the VPLP, in the month of May 2005. Unit 8 members who choose to opt out of the VPLP in the month of May must have their opt-out forms into CDF personnel no later than April 10, 2005.
4. Those Unit 8 members who choose to opt out from the VPLP in the month of November will also have the option to receive ten hours of pay for the following pay periods: July, August, September, October. The Unit 8 members choosing this option will receive their pay in accordance with Article 10-Leaves Section 10.1.8 of the Holiday Policy.
5. Upon separation after the 2004 fire season, seasonal Fire Fighters (FF's) may elect to carry over Personal Leave credits into the 2005 fire season. In addition, seasonal Firefighters who have earned or will earn VPLP credits may elect to carry over the credits into subsequent terms of employment in the same fashion as the election process is occurring in the 2004 fire season.
6. Seasonal FF's who choose to carry over Personal Leave credits and who are not hired back before December 31, 2005 will automatically have his or her VPLP credits cashed out by no later than January 31, 2006.
7. Attachment A to this agreement (regarding Rural Health) will take effect on July 1, 2005.
8. The CDF Firefighters union agrees to, and hereby does, withdraw with finality the above-captioned grievance and its request for arbitration in this matter.
9. Nothing in this agreement shall be considered as an admission of any breach of contract, violation of law or other unlawful conduct by CDF and DPA or concession by CDF Firefighters as to the merits of the grievance settled herein.